

C44
COT4
chain[ed] carboxylic acid with a long-chain[ed] alcohol, and the fat is a triglyceride of a
C₁₈-C₃₆ fatty acid.

REMARKS:

Entry of the foregoing amendments, and consideration thereof in light of the remarks which follow, are respectfully requested. These amendments are made to correct further informalities in the claims.

Turning now to the Restriction Requirement, Applicants elect as the species, for purposes of examination, a solid composition as recited in Claim 1 comprising the following substituents:

- (i) an unsaturated fatty acid alcohol, preferably an unsaturated C₁₈ fatty acid alcohol, more preferably oleyl alcohol (*see* Example 1 and Claim 5);
- (ii) an alkylene glycol, preferably propylene glycol (*see* Example 1 and Claim 11);
- (iii) a viscosity enhancing agent, preferably a waxy substance, more preferably selected from those recited in Claim 16 or Claim 17;
- (iv) a biologically active agent, e.g., selected from those recited in Example 1, i.e., fluocinonide, clobetasol propionate, or betamethasone valerate.

Also, Applicants further elect for purposes of examination, the concentration of alkylene glycol recited in Claim 2, i.e., more than 12% by weight based on the total weight of the carrier system.

Thus, based on the foregoing, Applicants have elected a solid composition comprising a biologically active agent such as fluocinonide, clobetasol propionate, or betamethasone valerate, dissolved in a carrier system wherein such carrier system comprises an unsaturated fatty acid alcohol (preferably C₁₈ fatty acid alcohol such as oleyl alcohol); at least 12% by weight of an alkylene glycol (propylene glycol), which is a solvent for the active agent, and a viscosity enhancing agent (waxy substance), which imparts solid consistency, and wherein said alkylene glycol provides for dissolution of the unsaturated fatty acid alcohol and said active agent.

It is believed that the above election is fully responsive to the Election of Species Requirement.

The Election is strongly traversed on the basis that Applicants have made a generic discovery, namely a novel solid composition for encapsulation of an active agent, which comprises a specific novel carrier system comprising an alkylene glycol, an unsaturated fatty acid alcohol, and a viscosity enhancing agent.

Applicants further respectfully submit that the Claims are not unduly broad based on the teachings of the subject application.

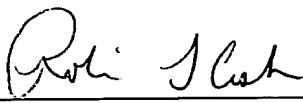
Also, The restriction is particularly traversed as it pertains to the active agent, as alternative active agents could readily be substituted for those exemplified absent undue experimentation.

Therefore, Applicants assume that the Election of Species is only for purposes of examination and that the Examiner will extend the search upon a determination that the elected species is allowable.

Also, for the convenience of the Examiner, a clean copy of the current claims is attached as an Appendix to this Election.

Respectfully submitted,

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